

§ 1910.401

NFPA 70E-2000 *Standard for Electrical Safety Requirements for Employee Workplaces*. (See also NFPA 70E-2004.)

NFPA 77-2000 *Recommended Practice on Static Electricity*.

NFPA 80-1999 *Standard for Fire Doors and Fire Windows*.

NFPA 88A-2002 *Standard for Parking Structures*.

NFPA 91-2004 *Standard for Exhaust Systems for Air Conveying of Vapors, Gases, Mists, and Noncombustible Particulate Solids*.

NFPA 101-2006 *Life Safety Code*.

NFPA 496-2003 *Standard for Purged and Pressurized Enclosures for Electrical Equipment*.

NFPA 497-2004 *Recommended Practice for the Classification of Flammable Liquids, Gases, or Vapors and of Hazardous (Classified) Locations for Electrical Installations in Chemical Process Areas*.

NFPA 505-2006 *Fire Safety Standard for Powered Industrial Trucks Including Type Designations, Areas of Use, Conversions, Maintenance, and Operation*.

NFPA 820-2003 *Standard for Fire Protection in Wastewater Treatment and Collection Facilities*.

NMAB 353-1-1979 *Matrix of Combustion-Relevant Properties and Classification of Gases, Vapors, and Selected Solids*.

NMAB 353-2-1979 *Test Equipment for Use in Determining Classifications of Combustible Dusts*.

NMAB 353-3-1980 *Classification of Combustible Dust in Accordance with the National Electrical Code*.

[72 FR 7221, Feb. 14, 2007]

Subpart T—Commercial Diving Operations

AUTHORITY: 29 U.S.C. 653, 655, 657; 40 U.S.C. 333; 33 U.S.C. 941; Secretary of Labor's Order No. 8-76 (41 FR 25059), 9-83 (48 FR 35736), 1-90 (55 FR 9033), 6-96 (62 FR 111), 3-2000 (65 FR 50017), 5-2002 (67 FR 65008), 5-2007 (72 FR 31160), or 4-2010 (75 FR 55355) as applicable, and 29 CFR 1911.

SOURCE: 42 FR 37668, July 22, 1977, unless otherwise noted.

GENERAL

§ 1910.401 Scope and application.

(a) *Scope*. (1) This subpart (standard) applies to every place of employment within the waters of the United States, or within any State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, the Trust Territory of the Pacific Islands, Wake Island, Johnston Island, the Canal Zone, or within

29 CFR Ch. XVII (7-1-22 Edition)

the Outer Continental Shelf lands as defined in the Outer Continental Shelf Lands Act (67 Stat. 462, 43 U.S.C. 1331), where diving and related support operations are performed.

(2) This standard applies to diving and related support operations conducted in connection with all types of work and employments, including general industry, construction, ship repairing, shipbuilding, shipbreaking and longshoring. However, this standard does not apply to any diving operation:

(i) Performed solely for instructional purposes, using open-circuit, compressed-air SCUBA and conducted within the no-decompression limits;

(ii) Performed solely for search, rescue, or related public safety purposes by or under the control of a governmental agency; or

(iii) Governed by 45 CFR part 46 (Protection of Human Subjects, U.S. Department of Health and Human Services) or equivalent rules or regulations established by another federal agency, which regulate research, development, or related purposes involving human subjects.

(iv) Defined as scientific diving and which is under the direction and control of a diving program containing at least the following elements:

(A) Diving safety manual which includes at a minimum: Procedures covering all diving operations specific to the program; procedures for emergency care, including recompression and evacuation; and criteria for diver training and certification.

(B) Diving control (safety) board, with the majority of its members being active divers, which shall at a minimum have the authority to: Approve and monitor diving projects; review and revise the diving safety manual; assure compliance with the manual; certify the depths to which a diver has been trained; take disciplinary action for unsafe practices; and, assure adherence to the buddy system (a diver is accompanied by and is in continuous contact with another diver in the water) for SCUBA diving.

(3) *Alternative requirements for recreational diving instructors and diving guides*. Employers of recreational diving instructors and diving guides are

not required to comply with the decompression-chamber requirements specified by paragraphs (b)(2) and (c)(3)(iii) of § 1910.423 and paragraph (b)(1) of § 1910.426 when they meet all of the following conditions:

(i) The instructor or guide is engaging solely in recreational diving instruction or dive-guiding operations;

(ii) The instructor or guide is diving within the no-decompression limits in these operations;

(iii) The instructor or guide is using a nitrox breathing-gas mixture consisting of a high percentage of oxygen (more than 22% by volume) mixed with nitrogen;

(iv) The instructor or guide is using an open-circuit, semi-closed-circuit, or closed-circuit self-contained underwater breathing apparatus (SCUBA); and

(v) The employer of the instructor or guide is complying with all requirements of appendix C of this subpart.

(b) *Application in emergencies.* An employer may deviate from the requirements of this standard to the extent necessary to prevent or minimize a situation which is likely to cause death, serious physical harm, or major environmental damage, provided that the employer:

(1) Notifies the Area Director, Occupational Safety and Health Administration within 48 hours of the onset of the emergency situation indicating the nature of the emergency and extent of the deviation from the prescribed regulations; and

(2) Upon request from the Area Director, submits such information in writing.

(c) *Employer obligation.* The employer shall be responsible for compliance with:

(1) All provisions of this standard of general applicability; and

(2) All requirements pertaining to specific diving modes to the extent diving operations in such modes are conducted.

[42 FR 37668, July 22, 1977, as amended at 47 FR 53365, Nov. 26, 1982; 58 FR 35310, June 30, 1993; 69 FR 7363, Feb. 17, 2004]

§ 1910.402 Definitions.

As used in this standard, the listed terms are defined as follows:

Acfm: Actual cubic feet per minute.

ASME Code or equivalent: ASME (American Society of Mechanical Engineers) Boiler and Pressure Vessel Code, Section VIII, or an equivalent code which the employer can demonstrate to be equally effective.

ATA: Atmosphere absolute.

Bell: An enclosed compartment, pressurized (closed bell) or unpressurized (open bell), which allows the diver to be transported to and from the underwater work area and which may be used as a temporary refuge during diving operations.

Bottom time: The total elapsed time measured in minutes from the time when the diver leaves the surface in descent to the time that the diver begins ascent.

Bursting pressure: The pressure at which a pressure containment device would fail structurally.

Cylinder: A pressure vessel for the storage of gases.

Decompression chamber: A pressure vessel for human occupancy such as a surface decompression chamber, closed bell, or deep diving system used to decompress divers and to treat decompression sickness.

Decompression sickness: A condition with a variety of symptoms which may result from gas or bubbles in the tissues of divers after pressure reduction.

Decompression table: A profile or set of profiles of depth-time relationships for ascent rates and breathing mixtures to be followed after a specific depth-time exposure or exposures.

Dive-guiding operations means leading groups of sports divers, who use an open-circuit, semi-closed-circuit, or closed-circuit self-contained underwater breathing apparatus, to local undersea diving locations for recreational purposes.

Dive location: A surface or vessel from which a diving operation is conducted.

Dive-location reserve breathing gas: A supply system of air or mixed-gas (as appropriate) at the dive location which is independent of the primary supply system and sufficient to support divers during the planned decompression.

Dive team: Divers and support employees involved in a diving operation, including the designated person-in-charge.

§ 1910.410

Diver: An employee working in water using underwater apparatus which supplies compressed breathing gas at the ambient pressure.

Diver-carried reserve breathing gas: A diver-carried supply of air or mixed gas (as appropriate) sufficient under standard operating conditions to allow the diver to reach the surface, or another source of breathing gas, or to be reached by a standby diver.

Diving mode: A type of diving requiring specific equipment, procedures and techniques (SCUBA, surface-supplied air, or mixed gas).

Fsw: Feet of seawater (or equivalent static pressure head).

Heavy gear: Diver-worn deep-sea dress including helmet, breastplate, dry suit, and weighted shoes.

Hyperbaric conditions: Pressure conditions in excess of surface pressure.

Inwater stage: A suspended underwater platform which supports a diver in the water.

Liveboating: The practice of supporting a surfaced-supplied air or mixed gas diver from a vessel which is underway.

Mixed-gas diving: A diving mode in which the diver is supplied in the water with a breathing gas other than air.

No-decompression limits: The depth-time limits of the “no-decompression limits and repetitive dive group designation table for no-decompression air dives”, U.S. Navy Diving Manual or equivalent limits which the employer can demonstrate to be equally effective.

Psi(g): Pounds per square inch (gauge).

Recreational diving instruction means training diving students in the use of recreational diving procedures and the safe operation of diving equipment, including an open-circuit, semi-closed-circuit, or closed-circuit self-contained underwater breathing apparatus, during dives.

Scientific diving means diving performed solely as a necessary part of a scientific, research, or educational activity by employees whose sole purpose for diving is to perform scientific research tasks. Scientific diving does not include performing any tasks usually associated with commercial diving such as: Placing or removing heavy ob-

29 CFR Ch. XVII (7–1–22 Edition)

jects underwater; inspection of pipelines and similar objects; construction; demolition; cutting or welding; or the use of explosives.

SCUBA diving: A diving mode independent of surface supply in which the diver uses open circuit self-contained underwater breathing apparatus.

Standby diver: A diver at the dive location available to assist a diver in the water.

Surface-supplied air diving: A diving mode in which the diver in the water is supplied from the dive location with compressed air for breathing.

Treatment table: A depth-time and breathing gas profile designed to treat decompression sickness.

Umbilical: The composite hose bundle between a dive location and a diver or bell, or between a diver and a bell, which supplies the diver or bell with breathing gas, communications, power, or heat as appropriate to the diving mode or conditions, and includes a safety line between the diver and the dive location.

Volume tank: A pressure vessel connected to the outlet of a compressor and used as an air reservoir.

Working pressure: The maximum pressure to which a pressure containment device may be exposed under standard operating conditions.

[42 FR 37668, July 22, 1977, as amended at 47 FR 53365, Nov. 26, 1982; 69 FR 7363, Feb. 17, 2004]

PERSONNEL REQUIREMENTS

§ 1910.410 Qualifications of dive team.

(a) *General.* (1) Each dive team member shall have the experience or training necessary to perform assigned tasks in a safe and healthful manner.

(2) Each dive team member shall have experience or training in the following:

(i) The use of tools, equipment and systems relevant to assigned tasks;

(ii) Techniques of the assigned diving mode; and

(iii) Diving operations and emergency procedures.

(3) All dive team members shall be trained in cardiopulmonary resuscitation and first aid (American Red Cross standard course or equivalent).